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 Adobe Systems Incorporated

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

Adobe Systems Incorporated,

Plaintiff,

v.

Michael Copenhagen, and Does 1 – 10,
 inclusive,

Defendants.

Case No. C09-1082 JSW

~~[PROPOSED]~~ ORDER GRANTING
 PLAINTIFFS' APPLICATION FOR
 LEAVE TO TAKE IMMEDIATE
 DISCOVERY PRIOR TO RULE 26(F)
 CONFERENCE AND REQUEST FOR
 ENLARGEMENT OF TIME WITHIN
 WHICH TO EFFECT SERVICE OF
 PROCESS

The Court has read and considered all papers filed in connection with Plaintiff's *Ex Parte* Application for Leave to Take Immediate Discovery Prior to Rule 26(f) Conference and Request for Enlargement of Time Within Which to Effect Service of Process ("the Application").

IT IS HEREBY ORDERED that the Application is granted.

IT IS FURTHER ORDERED that Plaintiff may serve immediate discovery on PayPal, Inc. ("PayPal"), eBay, Inc. ("eBay"), and Yahoo! Inc. ("Yahoo") by serving Fed. R. Civ. P. 45 subpoenas, which seek information sufficient to conclusively identify and locate Michael Copenhagen ("Defendant") doing business as "sonic-boom19," whose email address is sonicboom1963@yahoo.com, including names, addresses, telephone numbers, identity of the Defendant's financial institution(s), and other email address(es) for the Defendant. Should Plaintiff

1 fail to learn the identities, whereabouts, or legal status of Defendant from the service of these
2 subpoenas, Plaintiff may serve additional subpoenas seeking the same information upon other
3 persons or entities revealed by the limited discovery from the three entities described above.

4
5 If PayPal, eBay, Yahoo, or any subsequent necessary entity served wish to file a motion to
6 quash the subpoenas or to serve objections, they must do so before the return date of the
7 subpoenas, which shall be no less than twenty-one (21) days from the date of service of the
8 subpoenas. Among other things, PayPal, eBay, Yahoo, or any subsequent necessary entity served
9 may use this time to notify the subscribers in question.

10 PayPal, eBay, Yahoo, and any subsequent necessary entity served shall preserve any
11 subpoenaed information or materials pending compliance with the subpoenas or resolution of any
12 timely objection or motion to quash.

13 IT IS FURTHER ORDERED that Plaintiff must serve a copy of this order on PayPal, eBay,
14 Yahoo, and any subsequent necessary entity when it serves the subpoenas.

15 IT IS FURTHER ORDERED that any information disclosed to Plaintiff in response to the
16 Fed. R. Civ. P. 45 subpoenas may be used by Plaintiff solely for the purpose of protecting
17 Plaintiff's rights under the Copyright Act.

18 IT IS FURTHER ORDERED THAT Plaintiff shall have a ninety (90) day enlargement of
19 time within which to serve Defendant with Summons and Complaint, and in no event later than
20 October 7, 2009.


21 Dated: July 13, 2009


Magistrate Judge, United States District Court for the
Northern District of California

23 Presented By:

24 J. Andrew Coombs, A Prof. Corp.

26 By:


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